

## **2005 DRAFTING REQUEST**

### **Assembly Substitute Amendment (ASA-SB186)**

Received: **12/15/2005**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing: **Joe Hoey**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

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#### **Pre Topic:**

No specific pre topic given

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#### **Topic:**

Replace terms, immunity for use of defibrillators, eliminate requirement for training of nonprofessional users of defibrillators

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#### **Instructions:**

See Attached

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#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 12/29/2005	jdyer 01/05/2006		_____			
/1			chaugen 01/05/2006	_____	mbarman 01/05/2006	mbarman 01/05/2006	
/2	dkennedy 01/15/2006	jdyer 01/17/2006	jfrantze 01/17/2006	_____	mbarman 01/19/2006	mbarman 01/19/2006	

FE Sent For:

**<END>**

## 2005 DRAFTING REQUEST

### Assembly Substitute Amendment (ASA-SB186)

Received: 12/15/2005

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Wanted: As time permits

Identical to LRB:

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Replace terms, immunity for use of defibrillators, eliminate requirement for training of nonprofessional users of defibrillators

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/?	dkennedy 12/29/2005	jdye 01/05/2006		_____			
/1		12/17/05 jld	chaugen 01/05/2006	_____	mbarman 01/05/2006	mbarman 01/05/2006	

FE Sent For:

26/1/06  
JH/Pg  
1/1/06  
<END>

**2005 DRAFTING REQUEST**

*For  
January*

**Assembly Substitute Amendment (ASA-SB186)**

Received: **12/15/2005**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing: **Joe Hoey**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Replace terms, immunity for use of defibrillators, eliminate requirement for training of nonprofessional users of defibrillators

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**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy	<i>1/5 jw</i>	<i>ch 1/5</i>	<i>ch 1/5 pg</i>			

FE Sent For:

<END>

## TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

12/15/05

CONVERSATION  
WITH:

Joe Hacy

OF:

Rep Wasserman's Office

TELEPHONE NO:

REGARDING LRB #  
OR DRAFT TOPIC:

INSTRUCTIONS:

Draft a new substitute  
amendment to SB 186 that incorporates  
S0351/1 and:

Eliminates s. 146.50 (8g)

Expands immunity under s. 895.48  
to include any body who uses any  
kind of a defibrillator, whether  
they've been trained or not.

Wants in January

TODAY

By 1/5/05

2005 - 2006 LEGISLATURE

D-NOTE

50418/1  
LRBs0351/1  
DAK/jld  
jld

ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO 2005 SENATE BILL 186

REGENERATE

1 AN ACT *to repeal* 146.50 (1) (cm), 146.50 (1) (o), 146.50 (6g) (b) 1. and 146.50 (6g)  
2 (b) 2.; *to amend* 146.50 (1) (im) 3., 146.50 (8) (e), 146.50 (8g) (title), 146.50 (8g)  
3 (b), 146.50 (8g) (c) (intro.), 146.50 (8g) (c) 1., 146.50 (8g) (c) 2., 146.50 (8g) (d),  
4 895.48 (4) (a) (intro.), 895.48 (4) (a) 2., 895.48 (4) (a) 3. and 895.48 (4) (b) 1.; and  
5 *to create* 146.50 (1) (cr) and 146.50 (6g) (b) 2m. of the statutes; **relating to:**  
6 substituting the term automated external defibrillator for the terms automatic  
7 defibrillator and semiautomatic defibrillator; and providing immunity from  
8 civil liability for users, owners, and providers of automated external  
9 defibrillators for acts or omissions in rendering emergency care in good faith.

***Analysis by the Legislative Reference Bureau***

Under current law, certain persons who are not emergency medical technicians or first responders—defibrillation, but who have received training in a course that is approved by the Department of Health and Family Services (DHFS), may use semiautomatic defibrillators in rendering emergency care or treatment to others who appear to be in cardiac arrest. A semiautomatic defibrillator is a heart monitor

MM

and without gross negligence

and defibrillator that is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, determining whether defibrillation should be performed, charging, and, upon the operator's command, delivering an electrical impulse to an individual's heart. A person who provides a semiautomatic defibrillator for this use must provide written notice and certain information to the nearest emergency services program and must ensure that the semiautomatic defibrillator is maintained and tested in accordance with the manufacturer's guidelines. If these requirements are complied with, the users, owners, and providers of semiautomatic defibrillators are immune from civil liability for acts or omissions in rendering emergency care in good faith. In addition, DHFS certifies qualified applicants for the performance of defibrillation by use of an automatic defibrillator (a heart monitor and defibrillator that, after determining that defibrillation should be performed and charging, automatically delivers an electrical impulse to an individual's heart), a semiautomatic defibrillator, or a manual defibrillator.

~~This substitute amendment provides to users, owners, and providers of automated external defibrillators the same immunity from civil liability for acts or omissions in rendering emergency care in good faith that exists for users, owners, and providers of semiautomatic defibrillators if the requirements similar to those under current law for providing notice and information, maintaining and testing the automated external defibrillators, and receipt of training are met.~~ (An automated external defibrillator has the capacity for use either as a semiautomatic defibrillator or as an automatic defibrillator.) The substitute amendment substitutes the term "automated external defibrillator" for the terms "automatic defibrillator" and "semiautomatic defibrillator" in the provisions relating to the performance of defibrillation.

INSERT ANAL

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           SECTION 1. 146.50 (1) (cm) of the statutes is repealed.

2           SECTION 2. 146.50 (1) (cr) of the statutes is created to read:

3           146.50 (1) (cr) "Automated external defibrillator" means a defibrillator device  
4           to which all of the following apply:

5           1. It is approved for commercial distribution by the federal food and drug  
6           administration.

1           2. It is capable of recognizing the presence or absence of ventricular fibrillation  
2 or rapid ventricular tachycardia and of determining without intervention by the user  
3 of the device whether defibrillation should be performed.

4           3. After having determined that defibrillation should be performed, it is  
5 capable, either at the command of an operator or without intervention by an operator,  
6 of delivering an electrical shock to an individual.

7           **SECTION 3.** 146.50 (1) (im) 3. of the statutes is amended to read:

8           146.50 (1) (im) 3. In the case of a defibrillator that may be operated ~~in either~~  
9 ~~an automatic or a manual mode~~ as a manual defibrillator or as an automated  
10 external defibrillator, is set to operate ~~in the manual mode~~ as a manual defibrillator.

11          **SECTION 4.** 146.50 (1) (o) of the statutes is repealed.

12          **SECTION 5.** 146.50 (6g) (b) 1. of the statutes is repealed.

13          **SECTION 6.** 146.50 (6g) (b) 2. of the statutes is repealed.

14          **SECTION 7.** 146.50 (6g) (b) 2m. of the statutes is created to read:

15          146.50 (6g) (b) 2m. An automated external defibrillator.

16          **SECTION 8.** 146.50 (8) (e) of the statutes is amended to read:

17          146.50 (8) (e) A certified first responder is authorized to use an ~~automatic or~~  
18 ~~semiautomatic~~ automated external defibrillator, as prescribed for first responders in  
19 rules promulgated by the department. The rules shall set forth authorization for the  
20 use of an ~~automatic defibrillator, a semiautomatic~~ automated external defibrillator  
21 or, for a defibrillator that may be operated in more than one mode, use ~~in the~~  
22 ~~automatic or semiautomatic mode~~ as an automated external defibrillator only. A  
23 certified first responder is also authorized to employ other techniques, including the  
24 administration of nonvisualized advanced airways, and the administration of  
25 medications that are specified by the department by rule. In promulgating the rules

under this paragraph, the department shall consult with the state medical director for emergency medical services and the emergency medical services board. The rule shall include those techniques that are specified in the most current guidelines issued by the National Highway Traffic Safety Administration under 23 CFR 1205.3 (a) (5).

6

SECTION 9. 146.50 (8g) (title) of the statutes is amended to read:

146.50 (8g) (title) SPECIAL USE OF SEMIAUTOMATIC AUTOMATED EXTERNAL DEFIBRILLATORS.

SECTION 10. 146.50 (8g) (b) of the statutes is amended to read:

146.50 (8g) (b) Notwithstanding subs. (6g) (b) and (8) (e), a person other than an emergency medical technician or a first responder – defibrillation may use ~~a semiautomatic~~ an automated external defibrillator in rendering emergency care or treatment to an individual who appears to be in cardiac arrest if the person has received training in a course that is approved by the department under par. (d).

SECTION 11. 146.50 (8g) (c) (intro.) of the statutes is amended to read:

146.50 (8g) (c) (intro.) A person who provides ~~a semiautomatic~~ an automated external defibrillator for use under par. (b) shall do all of the following:

SECTION 12. 146.50 (8g) (c) 1. of the statutes is amended to read:

146.50 (8g) (c) 1. Provide written notification to the nearest emergency medical services program under s. 146.55 (2). The notification shall include information as to the type of the ~~semiautomatic~~ automated external defibrillator, the location of the automated external defibrillator on the premises of the person, the intended usage area for the automated external defibrillator and the owner of the automated external defibrillator.

SECTION 13. 146.50 (8g) (c) 2. of the statutes is amended to read:

1 146.50 (8g) (c) 2. Ensure that the semiautomatic automated external  
2 defibrillator is maintained and tested in accordance with any operational guidelines  
3 of the manufacturer.

4 SECTION 14. 146.50 (8g) (d) of the statutes is amended to read:

5 146.50 (8g) (d) The department shall review training courses for the use of a  
6 semiautomatic an automated external defibrillator under this subsection and may  
7 approve those training courses that satisfy standards for approval that are specified  
8 by the department.

9 *Fix component* SECTION 15. 895.48 (4) (a) *(intro.)* of the statutes *is* amended to read: *are*

10 895.48 (4) *(a)* *(intro.)* Any of the following ~~who meets the applicable~~  
11 ~~requirements of s. 146.50 (8g) and who acts within the applicable limitations of s.~~ *strike*  
12 146.50 (8g) is immune from civil liability for the acts or omissions of a person in  
13 rendering in good faith emergency care by use of ~~a semiautomatic~~ an automated  
14 external defibrillator under s. 146.50 (8g) to an individual who appears to be in  
15 cardiac arrest:

16 SECTION 16. 895.48 (4) (a) 2. of the statutes is amended to read:

17 895.48 (4) *(a)* 2. The owner of the semiautomatic automated external  
18 defibrillator, as specified in s. 146.50 (8g) (c).

19 SECTION 17. 895.48 (4) (a) 3. of the statutes is amended to read:

20 895.48 (4) *(a)* 3. The person who provides the semiautomatic automated  
21 external defibrillator for use, as specified in s. 146.50 (8g) (c).

22 SECTION 18. 895.48 (4) (b) 1. of the statutes is amended to read:

INSERT 5-21

*other than an emergency  
medical technician or a  
first responder <sup>EM</sup> defibrillation,*

1            895.48 (4) (b) 1. A person whose act or omission resulting from the use or the  
2            provision for use of the ~~semiautomatic~~ automated external defibrillator constitutes  
3            gross negligence.

**(END)**

D-NOTE

**2005-2006 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0418/?ins  
.....

**INSERT ANAL**

NO  
A The substitute amendment eliminates requirements of training in a DHFS-approved course for persons who are not emergency medical technicians or first responders-defibrillation and who use automated external defibrillators in rendering emergency care or treatment to others who appear to be in cardiac arrest. The substitute amendment also eliminates requirements that the person who provides the defibrillator for use provide written notification to the nearest emergency medical services program and ensure maintenance and testing of the defibrillator. The substitute amendment continues to provide immunity from civil liability, without these requirements, for acts or omissions of the person in rendering, in good faith and without gross negligence, emergency care by use of an automated external defibrillator and to the owner and provider of the defibrillator.

**INSERT 5-21**

**SECTION 1.** 895.48 (4) (a) 4. of the statutes is repealed.

**SECTION 2.** 895.48 (4) (ag) of the statutes is created to read:

895.48 (4) (ag) In this subsection:

1. "Cardiac arrest" means the sudden cessation of cardiac function and the disappearance of arterial blood pressure that connote ventricular fibrillation or pulseless ventricular tachycardia.

2. "Pulseless ventricular tachycardia" means a disturbance in the normal rhythm of the heart that is characterized by rapid electrical activity of the heart with no cardiac output.



SECTION #. AM<sup>x</sup>; 895.48(4)(b)(intro.)

895.48(4)(b)

<sup>③</sup>  
10<sup>8</sup> (intro.) The immunity specified in par. <sup>✓</sup>(a) ~~does~~ <sup>(am)</sup> not extend to any of the following:

(end ins 5-21)

INSERT 5-21 cont

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0418/3dn

DAK  
Jld

To Representative Wasserman:

1. Please note that, in amending s. 895.48 (4) (am) (intro.), stats., as renumbered in this substitute amendment, I have excepted EMTs and first responders <sup>✓</sup> defibrillation from the "Good Samaritan" immunity under s. 895.48 (4), stats. These persons presently are excepted from immunity under the language of s. 145.50 (8g), stats., which is repealed in this substitute amendment. (6) =m

2. Please also note that I have created, in s. 895.48 (4) (ag), definitions of "cardiac arrest" and "pulseless ventricular tachycardia" that are identical to those under s. 145.50 (8g) (a), stats., as repealed in this substitute amendment. (6)

3. Please also note that, in repealing s. 145.50 (8g), stats., as requested, the requirements for a person who provides a defibrillator for use that are under s. 145.50 (8g) (c), stats. (i.e., notification to the emergency medical services program and maintenance and testing) are also repealed. Is this what you want? \*

4. The following questions were contained in the Drafter's Note for LRBs0351/1, upon which this substitute amendment is based, and I have not heard from your office concerning them:

a. Please carefully check my treatment of s. 146.50 (1) (im) 3., stats. Does this meet your intent? ✓

b. Please review my changed language under s. 246.50 (1) (cr) 1. and 3. (1) ✓

c. Should "a heart monitor" be added to s. 146.50 (1) (cr), as it is under s. 146.50 (1) (cm) (intro.) and (o) (intro.), stats? (I note that the federal regulation, at 21 CFR 870.5310, seems to make no mention of it.) ✓

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: debora.kennedy@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0418/1dn  
DAK:jld:ch

January 5, 2006

To Representative Wasserman:

1. Please note that, in amending s. 895.48 (4) (am) (intro.), stats., as renumbered in this substitute amendment, I have excepted EMTs and first responders — defibrillation from the “Good Samaritan” immunity under s. 895.48 (4), stats. These persons presently are excepted from immunity under the language of s. 146.50 (8g), stats., which is repealed in this substitute amendment.
2. Please also note that I have created, in s. 895.48 (4) (ag), definitions of “cardiac arrest” and “pulseless ventricular tachycardia” that are identical to those under s. 146.50 (8g) (a), stats., as repealed in this substitute amendment.
3. Please also note that, in repealing s. 146.50 (8g), stats., as requested, the requirements for a person who provides a defibrillator for use that are under s. 146.50 (8g) (c), stats. (i.e., notification to the emergency medical services program and maintenance and testing) are also repealed. Is this what you want?
4. The following questions were contained in the Drafter’s Note for LRBs0351/1, upon which this substitute amendment is based, and I have not heard from your office concerning them:
  - a. Please carefully check my treatment of s. 146.50 (1) (im) 3., stats. Does this meet your intent?
  - b. Please review my changed language under s. 146.50 (1) (cr) 1. and 3.
  - c. Should “a heart monitor” be added to s. 146.50 (1) (cr), as it is under s. 146.50 (1) (cm) (intro.) and (o) (intro.), stats? (I note that the federal regulation, at 21 CFR 870.5310, seems to make no mention of it.)

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: debora.kennedy@legis.state.wi.us

## TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

1/13/06

CONVERSATION  
WITH:

Joe Hbey

OF:

Wasserman's office

TELEPHONE NO:

REGARDING LRB #  
OR DRAFT TOPIC:

20418/1

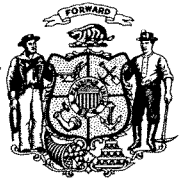
INSTRUCTIONS:

Redraft =

Add curr language under

146.50 (8g)(c)2. to 895.48 (4)(am)

3.



(THURS 1/19)  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0418/12

DAK:jld:4

ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO 2005 SENATE BILL 186

Regen

1 AN ACT *to repeal* 146.50 (1) (cm), 146.50 (1) (o), 146.50 (6g) (b) 1., 146.50 (6g) (b)  
2 2., 146.50 (8g) and 895.48 (4) (a) 4.; *to renumber and amend* 895.48 (4) (a);  
3 *to amend* 146.50 (1) (im) 3., 146.50 (8) (e), 895.48 (4) (b) (intro.) and 895.48 (4)  
4 (b) 1.; and *to create* 146.50 (1) (cr), 146.50 (6g) (b) 2m. and 895.48 (4) (ag) of the  
5 statutes; **relating to:** substituting the term automated external defibrillator  
6 for the terms automatic defibrillator and semiautomatic defibrillator; and  
7 providing immunity from civil liability for users, owners, and providers of  
8 automated external defibrillators for acts or omissions in rendering emergency  
9 care in good faith.

---

***Analysis by the Legislative Reference Bureau***

Under current law, certain persons who are not emergency medical technicians or first responders—defibrillation, but who have received training in a course that is approved by the Department of Health and Family Services (DHFS), may use semiautomatic defibrillators in rendering emergency care or treatment to others who appear to be in cardiac arrest. A semiautomatic defibrillator is a heart monitor

and defibrillator that is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, determining whether defibrillation should be performed, charging, and, upon the operator's command, delivering an electrical impulse to an individual's heart. A person who provides a semiautomatic defibrillator for this use must provide written notice and certain information to the nearest emergency services program and must ensure that the semiautomatic defibrillator is maintained and tested in accordance with the manufacturer's guidelines. If these requirements are complied with, the users, owners, and providers of semiautomatic defibrillators are immune from civil liability for acts or omissions in rendering emergency care in good faith and without gross negligence. In addition, DHFS certifies qualified applicants for the performance of defibrillation by use of an automatic defibrillator (a heart monitor and defibrillator that, after determining that defibrillation should be performed and charging, automatically delivers an electrical impulse to an individual's heart), a semiautomatic defibrillator, or a manual defibrillator.

This substitute amendment substitutes the term "automated external defibrillator" for the terms "automatic defibrillator" and "semiautomatic defibrillator" in the provisions relating to the performance of defibrillation. An automated external defibrillator has the capacity for use either as a semiautomatic defibrillator or as an automatic defibrillator. The substitute amendment eliminates requirements of training in a DHFS-approved course for persons who are not emergency medical technicians or first responders — defibrillation and who use automated external defibrillators in rendering emergency care or treatment to others who appear to be in cardiac arrest. The substitute amendment also eliminates requirements <sup>the</sup> that the person who provides the defibrillator for use provide written notification to the nearest emergency medical services program ~~and ensure maintenance and testing of the defibrillator~~. The substitute amendment continues to provide immunity from civil liability, without ~~these~~ requirements, for acts or omissions of the person in rendering, in good faith and without gross negligence, emergency care by use of an automated external defibrillator and to the owner and provider of the defibrillator.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1        **SECTION 1.** 146.50 (1) (cm) of the statutes is repealed.

2        **SECTION 2.** 146.50 (1) (cr) of the statutes is created to read:

3        146.50 (1) (cr) "Automated external defibrillator" means a defibrillator device ✓

4        to which all of the following apply:

~~NO~~ except that this immunity for the provider applies only if the provider ensures that the automated external defibrillator is maintained and tested in accordance with any operational guidelines of the manufacturer

1           1. It is approved for commercial distribution by the federal food and drug  
2 administration.

3           2. It is capable of recognizing the presence or absence of ventricular fibrillation  
4 or rapid ventricular tachycardia and of determining without intervention by the user  
5 of the device whether defibrillation should be performed.

6           3. After having determined that defibrillation should be performed, it is  
7 capable, either at the command of an operator or without intervention by an operator,  
8 of delivering an electrical shock to an individual.

9           **SECTION 3.** 146.50 (1) (im) 3. of the statutes is amended to read:

10           146.50 (1) (im) 3. In the case of a defibrillator that may be operated ~~in either~~  
11 ~~an automatic or a manual mode~~ as a manual defibrillator or as an automated  
12 external defibrillator, is set to operate ~~in the manual mode~~ as a manual defibrillator.

13           **SECTION 4.** 146.50 (1) (o) of the statutes is repealed.

14           **SECTION 5.** 146.50 (6g) (b) 1. of the statutes is repealed.

15           **SECTION 6.** 146.50 (6g) (b) 2. of the statutes is repealed.

16           **SECTION 7.** 146.50 (6g) (b) 2m. of the statutes is created to read:

17           146.50 (6g) (b) 2m. An automated external defibrillator.

18           **SECTION 8.** 146.50 (8) (e) of the statutes is amended to read:

19           146.50 (8) (e) A certified first responder is authorized to use an ~~automatic or~~  
20 ~~semiautomatic~~ automated external defibrillator, as prescribed for first responders in  
21 rules promulgated by the department. The rules shall set forth authorization for the  
22 use of an ~~automatic defibrillator, a semiautomatic~~ automated external defibrillator  
23 or, for a defibrillator that may be operated in more than one mode, use ~~in the~~  
24 ~~automatic or semiautomatic mode~~ as an automated external defibrillator only. A  
25 certified first responder is also authorized to employ other techniques, including the

1 administration of nonvisualized advanced airways, and the administration of  
2 medications that are specified by the department by rule. In promulgating the rules  
3 under this paragraph, the department shall consult with the state medical director  
4 for emergency medical services and the emergency medical services board. The rule  
5 shall include those techniques that are specified in the most current guidelines  
6 issued by the National Highway Traffic Safety Administration under 23 CFR 1205.3  
7 (a) (5).

8 **SECTION 9.** 146.50 (8g) of the statutes is repealed.

9 **SECTION 10.** 895.48 (4) (a) of the statutes is renumbered 895.48 (4) (am), and  
10 895.48 (4) (am) (intro.), 2. and 3., as renumbered, are amended to read:

11 895.48 (4) (am) (intro.) Any of the following ~~who meets the applicable~~  
12 ~~requirements of s. 146.50 (8g) and who acts within the applicable limitations of s.~~  
13 ~~146.50 (8g), other than an emergency medical technician or a first responder —~~  
14 ~~defibrillation,~~ is immune from civil liability for the acts or omissions of a person in  
15 rendering in good faith emergency care by use of ~~a semiautomatie~~ an automated  
16 external defibrillator ~~under s. 146.50 (8g)~~ to an individual who appears to be in  
17 cardiac arrest:

18 2. The owner of the ~~semiautomatie~~ automated external defibrillator, as  
19 specified in s. 146.50 (8g) (e).

20 3. The person who provides the ~~semiautomatie~~ automated external  
21 defibrillator for use <sup>plain</sup> ~~as specified in s. 146.50 (8g) (e).~~

22 **SECTION 11.** 895.48 (4) (a) 4. of the statutes is repealed.

23 **SECTION 12.** 895.48 (4) (ag) of the statutes is created to read:

24 895.48 (4) (ag) In this subsection:

11 1. If the person ensures that the automated external  
defibrillator is maintained and tested in accordance with any  
operational guidelines of the manufacturer

1. “Cardiac arrest” means the sudden cessation of cardiac function and the disappearance of arterial blood pressure that connote ventricular fibrillation or pulseless ventricular tachycardia.

2. “Pulseless ventricular tachycardia” means a disturbance in the normal rhythm of the heart that is characterized by rapid electrical activity of the heart with no cardiac output.

**SECTION 13.** 895.48 (4) (b) (intro.) of the statutes is amended to read:

895.48 **(4) (b) (intro.)** The immunity specified in par. ~~(a)~~ (am) does not extend to any of the following:

**SECTION 14.** 895.48 (4) (b) 1. of the statutes is amended to read:

895.48 (4) (b) 1. A person whose act or omission resulting from the use or the provision for use of the ~~semiautomatic~~ automated external defibrillator constitutes gross negligence.

**(END)**

## Barman, Mike

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**From:** Hoey, Joseph  
**Sent:** Tuesday, January 17, 2006 6:34 PM  
**To:** Barman, Mike  
**Subject:** RE: Jacket for LRBs0418/1

I will send it over tomorrow morning.  
Thanks for your help.

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**From:** Barman, Mike  
**Sent:** Tuesday, January 17, 2006 9:49 AM  
**To:** Rep.Wasserman  
**Cc:** Hoey, Joseph  
**Subject:** FW: Jacket for LRBs0418/1  
**Importance:** High

We have LRBs0418/2 ready to go for you.

Could you please return the Sub's jacket to us (from the "/1" version) so we can send you the new "/2" version.

Please call if you have any questions. Thanks

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

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